

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

## **WIGENTON, District Judge.**

This matter, having come before this Court on the Motion to Dismiss of Defendants Luxottica Group S.p.A.; Luxottica USA, LLC; Luxottica Retail North America, Inc.; and The United States Shoe Corp. t/a LensCrafters; pursuant to Federal Rule of Civil Procedure 12(b)(6); and this Court having considered the parties' submissions; for the reasons stated in this Court's Opinion dated December 16, 2016;

**IT IS** on this 16<sup>th</sup> day of December, 2016,

**ORDERED** that Defendants' Motion is **GRANTED**, and it is further;

**ORDERED** that Count I is **DISMISSED** with prejudice and Counts II-VI are **DISMISSED** without prejudice.

s/ Susan D. Wigenton

SUSAN D. WIGENTON

**UNITED STATES DISTRICT JUDGE**

Orig: Clerk  
cc: Leda D. Wettre, U.S.M.J.  
Parties